



PROPOSED RULE MAKING

CR-102 (June 2004)

(Implements RCW 34.05.320)

Do NOT use for expedited rule making

Agency: Department of Health – Chiropractic Quality Assurance Commission

☒ Preproposal Statement of Inquiry was filed as WSR 05-10-062 ; or

☐ Expedited Rule Making--Proposed notice was filed as WSR _____; or

☐ Proposal is exempt under RCW 34.05.310(4).

☒ Original Notice

☐ Supplemental Notice to WSR _____

☐ Continuance of WSR _____

Title of rule and other identifying information: (Describe Subject)

WAC 246-808-510 Definitions.

Hearing location(s):

Department of Health, 310 Israel Road SE, Tumwater, WA 98501.

Date: March 25, 2006 Time: 10:15 a.m.

Submit written comments to:

Name: Karen Kelley

Address: PO Box 47869, Olympia, WA 98504-7869

karen.kelley@doh.wa.gov

e-mail <http://www3.doh.wa.gov/policyreview>

fax (360)236-4918 by (date) March 17, 2006

Assistance for persons with disabilities: Contact

Karen Kelley by March 17, 2006

TTY () 711 or (800) 833-6388

Date of intended adoption: May 25, 2006

(Note: This is NOT the effective date)

Purpose of the proposal and its anticipated effects, including any changes in existing rules: The proposed rule amendments will add text that conveys more accurately the language in the statute, and clarify or add the following definitions:

Auxiliary staff - Clarifies that regular senior students and clinical postgraduate trainees are not included, and that auxiliary staff receive ongoing on-the-job training.

Chiropractor – Adds doctor of chiropractic to the definition.

Direct supervision – Expands the definition to include direct supervision and control, and the requirement that patients be examined by a chiropractor prior to delegating duties to auxiliary staff.

Regular senior student – Add definition.

Clinical postgraduate trainee – Add definition.

Reasons supporting proposal: The amendments add clarity, more accurately reflect statute, and reflect changes to WAC 246-808-190 Preceptor or direct supervisory doctor, and WAC 246-808-535 Delegation of services to auxiliary staff and graduate doctors of chiropractic.

Statutory authority for adoption: RCW 18.25.0171

Statute being implemented: RCW 18.25

Is rule necessary because of a:

Federal Law?

Federal Court Decision?

State Court Decision?

If yes, CITATION:

☐ Yes ☒ No
☐ Yes ☒ No
☐ Yes ☒ No

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STATE OF WASHINGTON
FILED

JAN 4 2006

TIME

10:49

WSR

06-02-087

AM

PM

DATE

December 7, 2005

NAME (type or print)

Karen Kelley

SIGNATURE

Karen Kelley

TITLE

Program Manager

(COMPLETE REVERSE SIDE)

Agency comments or recommendations, if any, as to statutory language, implementation, enforcement, and fiscal matters:
None.

Name of proponent: (person or organization)

Chiropractic Quality Assurance Commission

- ☐ Private
☐ Public
☒ Governmental

Name of agency personnel responsible for:

Name	Office Location	Phone
Drafting..... Karen Kelley	310 Israel Road SE, Olympia, WA 98504-7869	(360) 236-4856
Implementation....Karen Kelley	310 Israel Road SE, Olympia, WA 98504-7869	(360) 236-4856
Enforcement..... Karen Kelley	310 Israel Road SE, Olympia, WA 98504-7869	(360) 236-4856

Has a small business economic impact statement been prepared under chapter 19.85 RCW?

☐ Yes. Attach copy of small business economic impact statement.

A copy of the statement may be obtained by contacting:

Name:

Address:

phone

fax

e-mail

☒ No. Explain why no statement was prepared.

An SBEIS is not necessary under chapter 19.85 RCW. This rule does not impose additional costs on licensed chiropractors.

Is a cost-benefit analysis required under RCW 34.05.328?

☒ Yes A preliminary cost-benefit analysis may be obtained by contacting:

Name: Karen Kelley

Address: Post Office Box 47869, Olympia, WA 98504-7869

phone (360) 236-4856

fax (360) 236-4918

e-mail karen.kelley@doh.wa.gov

☐ No: Please explain:

AMENDATORY SECTION (Amending WSR 96-16-074, filed 8/6/96, effective 9/6/96)

WAC 246-808-510 **Definitions.** "Auxiliary services" means those services, excluding those practices which are restricted to licensed chiropractors, which may be needed for the support of chiropractic care.

"Auxiliary staff" means personnel, except ((graduate doctors of chiropractic,)) regular senior students and clinical postgraduate trainees, who receive ongoing on-the-job training and who ((are working)) work for or at the direction of a licensed doctor of chiropractic.

"Chiropractor," "doctor of chiropractic," means a person licensed ((pursuant to)) under chapter 18.25 RCW.

"Clinical postgraduate trainee" means a graduate doctor of chiropractic serving a period of postgraduate chiropractic training in a program of clinical chiropractic training sponsored by an accredited school of chiropractic approved by this state. The clinical postgraduate trainee works under the direct supervision and control of a commission approved preceptor as described in WAC 246-808-190 and 246-808-535. Clinical postgraduate trainees who have had their chiropractic license suspended, revoked, or otherwise conditioned or restricted under authority of any competent jurisdiction shall not perform any delegated tasks listed in WAC 246-808-535(4).

"Direct supervision" and "direct supervision and control" means ((having)) a licensed chiropractor is on the premises and immediately available, and has examined the patient prior to delegating duties to auxiliary staff, regular senior students, or clinical postgraduate trainees.

((("Graduate doctor of chiropractic" means a graduate of an approved chiropractic college who has applied for a Washington state chiropractic license. Graduate doctors of chiropractic who have failed to pass the Washington state chiropractic examination within one year of applying for a Washington state chiropractic license may only perform auxiliary services. Graduate doctors who have had their chiropractic license suspended or revoked shall not be authorized to perform any auxiliary services.))

"Mentally or physically disabled chiropractor" means a chiropractor who has either been determined by a court to be mentally incompetent or mentally ill or who is unable to practice chiropractic with reasonable skill and safety to patients by reason of any mental or physical condition.

"Regular senior student" means a student in his or her last term (quarter or semester) at an accredited school approved by the commission who has met all clinical and graduation requirements except clinical training hours.

"Unprofessional conduct" as used in these regulations
((shall)) means the conduct described in RCW 18.130.180 and
18.25.112.